

## **TENTATIVE RULINGS for CIVIL LAW and MOTION**

### **July 2, 2009**

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at [www.yolo.courts.ca.gov](http://www.yolo.courts.ca.gov). If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6942

#### **TENTATIVE RULING**

**Case:** **Citifinancial Auto v. Silva**  
**Case No. CV G 09-910**

**Hearing Date:** **July 2, 2009** **Department Fifteen** **9:00 a.m.**

The application for writ of possession is **DENIED WITHOUT PREJUDICE**. There is no proof of service showing service of a copy of the summons and complaint, the application papers and a notice of hearing on the defendant. (Code Civ. Proc., §§ 512.030, 512.050 and 1005.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

#### **TENTATIVE RULING**

**Case:** **Guzman v. Reyes**  
**Case No. CV PM 08-616**

**Hearing Date:** **July 2, 2009** **Department Fifteen** **9:00 a.m.**

The petitioner and the minor are directed to appear or to show good cause why the petitioner and the minor should not be required to appear. (Cal. Rules of Court, rule 7.952.) If the petitioner and the minor choose to show good cause, they should do so by filing a declaration before the hearing setting forth the facts supporting good cause. If the parties fail to appear at the hearing and the court has not excused their personal appearance, the petition will be denied without prejudice. No request for a hearing is required.

#### **TENTATIVE RULING**

**Case:** **Liberty Insurance Corp. v. Spraytech, Inc.**  
**Case No. CV PO 07-394**

**Hearing Date:** **July 2, 2009** **Department Fifteen** **9:00 a.m.**

King Associates, Ltd's motion for order directing service of summons on United Services Group, LLC through the Secretary of State is **DENIED WITHOUT PREJUDICE**. The evidence King Associates, Ltd. submitted shows that cross-defendant United Services Group,

LLC is a dissolved limited liability company. King Associates, Ltd. has not established due diligence in finding or serving process on (1) a manager, member, officer, or person having charge of the cross-defendant's assets or, (2) if no such person can be found, to any agent upon whom process might be served at the time of dissolution. (Corp. Code, § 17355, subd. (b).) There is no proof of service of the motion at bar on any manager, member, officer, or person associated with United Services Group, LLC.

King Associates, Ltd.'s evidence shows that the cross-defendant United Services Group, LLC dissolved in Washington on February 1, 2008. The California Secretary of State's website shows a company with the same name (No. 200805610147) registering in California on February 22, 2008. This entity has designated an agent for service of process located in Encino, California. If King Associates, Ltd. renews its motion, it should present competent evidence showing that the entity shown on the California Secretary of State's website is not associated with the cross-defendant.

#### **TENTATIVE RULING**

**Case:** **Nguyen v. Regents of the University of California**  
**Case No. CV CV 08-1332**

**Hearing Date:** **July 2, 2009** **Department Fifteen** **9:00 a.m.**

This matter is continued on the Court's own motion to Thursday, July 9, 2009, at 9:00 a.m. in Department Fifteen.